

REMARKS

In light of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-4 are pending in this application.

Claims 1-4 were rejected under 35 U.S.C. §102(b) as being anticipated by Fukawa (U.S. Patent 5,568,654).

The present invention is directed to the receipt of streaming data (audio or video) by receiving devices moving through overlapping cells of a number of base stations in a wireless network. To reduce bandwidth, the streaming data is only transmitted by those base stations currently having a receiving device in their cell. When a receiving device moves to a new area, the present invention chooses a new base station on the basis of both the signal strength and on "whether said base station ... is already delivering predetermined data." (Claim 1) By "checking each base station selected for the radio wave reception level thereof and for ongoing delivery of said predetermined data," the present invention reduces the number of new base stations which must be requested to start delivery of the predetermined data as receiving devices move between cells. By contrast, prior art systems like Fukawa simply check the signal strength and do not also check whether a new base station is already transmitting the particular data needed by the receiving device. Accordingly, Fukawa is an example of the prior art systems which the present invention distinguishes in the background section of the specification. Accordingly, for at least this reason, Fukawa fails to anticipate the present invention and the rejected claims should now be allowed.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

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Respectfully submitted,

By 

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